

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

GOOGLE LLC,

Plaintiff,

v.

Civil Action No. 1:21-cv-10260-DLC

DMITRY STAROVIKOV;
ALEXANDER FILIPPOV;
Does 1–15,

Defendants.

**DECLARATION OF LAURA HARRIS IN SUPPORT OF
GOOGLE LLC'S FEE APPLICATION**

I, Laura Harris, hereby declare and state as follows:

1. I am an attorney with the law firm of King & Spalding LLP and counsel of record for Plaintiff Google LLC (“Google”). I am a member of good standing of the bar of New York. I make this declaration in support of Google’s application for payment of fees reasonably incurred since March 14, 2022 (“Fee Application”), pursuant to this Court’s order of November 15, 2022. *See* ECF 132. I make this declaration of my own personal knowledge and, if called as a witness, I could and would testify competently to the truth of the matters set forth herein.

2. In support of the Fee Application, attorneys and staff working at my direction have prepared the attached Exhibit A (the “Billing Records”). The Billing Records reflect certain tasks performed by King & Spalding attorneys in relation to this action for which Google now seeks an award of attorneys’ fees. The narrative descriptions are taken from King & Spalding’s billing records—they include each attorney’s contemporaneous descriptions of tasks performed.

3. All attorneys at King & Spalding are required to record descriptions of their work on client matters on a contemporaneous basis and to identify the client and matter associated with each recorded task. King & Spalding seeks to ensure that all attorneys enter contemporaneous time records into the Firm's billing system on at least a weekly basis.

4. Accordingly, the narrative descriptions of work reflected in the Billing Records, along with the other data therein (attorney name, date, and number of hours), are “contemporaneous” records of attorney time spent in connection with this

action, as these terms are used in the context of attorneys' fee requests in the Southern District of New York. *See, e.g., US. Football League v. Nat'l Football League*, 704 F. Supp. 474,477 (S.D.N.Y. 1989).

5. In connection with King & Spalding's representation of Google, and in accordance with King & Spalding's standard practices, these narrative descriptions, along with the date of performance and time spent, periodically are reported in billing invoices that King & Spalding provides to Google in support of fee payment requests.

6. Google has incurred all fees reflected in Exhibit A and, with the exception of fees incurred in November 2022, Google has paid King & Spalding for the fees associated with the tasks described in the Billing Records. It is my understanding and expectation that, consistent with past practices, Google will pay King & Spalding for the outstanding fees in a timely manner.

7. Accordingly, the fees listed in the Billing Records are actual costs incurred by Google in connection with this action.

8. Google has limited its fee request to those activities directly related to the named Defendants and their counsel—specifically, briefing for Defendants' Motion to Vacate the Entry of Default and Google's cross-motion for Default Judgment and Permanent Injunction; discovery and related items, including the Parties' 26(f) plan, Defendants' deficient initial disclosures, Defendants' responses to Google's discovery requests, and related motion practice; settlement discussions and related tasks; and briefing for the Parties' respective sanctions motions.

9. Attached hereto as Exhibit B is an excerpt from the 2016 National Law Journal survey reflecting partner hourly rates in New York City for King & Spalding's peer firms. This survey shows that partner rates ranged from an average of \$800 to \$1,350 per hour in 2016.

10. Attached hereto as Exhibit C is an article from the New York Law Journal titled "As Billing Rates Skyrocket, Historic Fee Leaders Find Company at \$2,000 Per Hour," by Dan Roe (July 29, 2022). According to this article, average partner rates at top firms range from \$1,674 to \$1,838 per hour.

11. Attached hereto as Exhibit D is the LexisNexis CounselLink's 2022 Trends Report, based on a survey of 350,000 timekeepers in 1.2 million legal matters across the country. According to the Lexis survey, the median New York partner rate in 2021 was \$1,030.

12. The average 2022 hourly rate for King & Spalding partners included in Google's fee application was \$1,071.

13. Attorneys at King & Spalding endeavor to manage their work and that done at their direction to ensure that legal services are delivered as efficiently as possible. This has been our practice in this action since King & Spalding began this representation.

14. Based on the above references and my personal experience having practiced law at two firms in New York City for over a decade, the rates charged by King & Spalding are commensurate with the rates charged by comparable firms in the Southern District of New York, and reflect the high level of experience and

expertise of King & Spalding's counsel in this matter. King & Spalding is a leading international law firm with more than 1,200 lawyers across twenty-three offices worldwide. King & Spalding was ranked a top twenty-five firm in multiple categories by *The American Lawyer* 100 ranking in 2021, and the firm boasts multiple Band 1 Chambers rankings each year. Moreover, these rates reflect actual market rates, and are the same or similar to those paid by King & Spalding's other clients in comparable matters.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge

Executed on December 16, 2022 in New York, New York.

/s/ *Laura Harris*

Laura Harris